

UNDER THE PATENT COOPERATION TREATY
BEFORE THE UNITED STATES RECEIVING OFFICE

In regard to International Application:

Serial No.: PCT/EP95/02722

Applicant: UWE WITT et al.

Filed: 12 July 1995

U.S. Application No. 08/793,966

Authorized Officer:
Anita JohnsonTitle: BIOLOGICALLY DEGRADABLE POLYESTER AND
WORKING MATERIAL CONSISTING THEREOF

I hereby certify that this correspondence is being deposited with
the United States Postal Service via Express Mail Label No.
EF751219695US in an envelope addressed to: Assistant
Commissioner for Patents, BOX PCT, Washington, D.C. 10131-0001

7/18/97
(Date of Deposit)

Joan Farragher

(Signature)

APPLICANTS' RESPONSE TO "NOTIFICATION OF A DEFECTIVE RESPONSE"

On March 10, 1997, Applicants entered the National Phase in the United States in the above-identified PCT application. Submitted along with the remaining formal papers was a Declaration by the three named inventors. The Office mailed a "Notification of Missing Requirements..." (PTO Form PCT/DO/EO/905) dated April 16, 1997, indicating that the Declaration was defective for failing to identify the citizenship of each inventor. The citizenships of the second and third inventors had inadvertently been omitted. The Declaration met all other legal requirements.

On May 15, 1997, Applicants submitted a Supplemental Declaration which identified the citizenship of the second and third inventors, and which was executed by the second and third inventors. The Supplemental Declaration was not executed by the first inventor. However, the citizenship of the first inventor

had been correctly identified in the original Declaration which, in turn, had been executed by the first inventor. Applicants subsequently received a "Notification of a Defective Response" (Form PCT/DO/EO/916) dated June 25, 1997.


It is respectfully submitted, that the two Declaration together fully satisfy the requirements of 37 C.F.R. § 1.497 and 37 C.F.R. § 1.63. Copies of both Declarations and the "Notification of a Defective Response" are enclosed herewith. In this respect, attention is directed to MPEP § 602.02:

Where neither the original oath or declaration, nor the substitute oath or declaration is complete in itself, but the two taken together give all the required data, no further oath or declaration is needed.

Thus, Applicants believe that the requirements of 37 C.F.R. § 1.497 have been fully complied with, and Applicants respectfully request acknowledgement that the two declarations submitted indeed fulfill the requirements.

Respectfully submitted,

Uwe Witt et al.
BROOKS & KUSHMAN P.C.


William G. Conger
Registration No. 31,209
Attorney of Record
1000 Town Center, 22nd Floor
Southfield, Michigan 48075
(248) 358-4400

Dated: July 8, 1997
WGC:jbf
Enclosures

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark
Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

08/793,966
U.S. APPLICATION NO.

08/793,966

FIRST NAMED APPLICANT

ATTY. DOCKET NO.

BOET 0103 PU

INTERNATIONAL APPLICATION NO.

5611

PCT/EP95/02722

I.A. FILING DATE

PRIORITY DATE

07/12/95

09/09/94

DATE MAILED:

06/25/97

MR. WILLIAM G. CONGER
BROOKS & KUSHMAN PC
1000 TOWN CENTER
TWENTY-SECOND FLOOR
SOUTHFIELD MI 48075

NOTIFICATION OF A DEFECTIVE RESPONSE

1. ☐ The request for an extension of time (37 CFR 1.136(a)) filed _____ is defective because the required fee is missing/insufficient. Extension of time fees are listed at 37 CFR 1.17(a)-(d).
2. ☐ Applicant's response filed _____ was received in the Office on _____ which is after the expiration of the period for response set in the last Office notification mailed _____. This application will become abandoned unless applicant obtains an extension of time to reply to the last Office notification under 37 CFR 1.136(a).

3. ☒ Applicant's response filed 15 MAR 97 included the following items, the receipt of which is hereby acknowledged:

- ☐ Copy of the international application in:
☐ a non-English language.
☐ English.
- ☐ Translation of the international application into English ☐ which is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ Processing fee (37 CFR 1.492(f)) ☐ which is insufficient.
- ☒ Oath or Declaration of inventor(s).
☐ in compliance with 37 CFR 1.497(a) and (b).
☐ not in compliance with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ Surcharge (37 CFR 1.492(e)) ☐ which is insufficient.
- ☐ Copy of Article 19 amendments.
- ☐ Translation of Article 19 amendments into English.
- ☐ The International Preliminary Examination Report in English and its Annexes, if any.
- ☐ Translation of Annexes to the International Preliminary Examination Report into English.
- ☐ Preliminary amendment(s).
- ☐ Information Disclosure Statement(s).
- ☐ Assignment document.
- ☐ Power of Attorney and/or Change of Address.
- ☐ Substitute specification.
- ☐ Verified Statement Claiming Small Entity Status.
- ☐ Priority Document.
- ☐ Other:

4. ☒ All of the requirements set forth in the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905 mailed 16 APR 1997) have not been completed.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements (Form DO/EO/905), whichever is the longer. No extension of this time limit may be granted under 37 C.F.R. § 1.136, but the period for response set in the Notification of Missing Requirements may be extended up to a maximum of five months.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

Enclosed: ☒ PCT/DO/EO/917 ☐ Notice of Defective Translation